IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICITON

NOTICE OF MOTION NO.440 OF 2006
IN
WRIT PETITION NO.1695 OF 2000

M/s.Macnair Exports Pvt.Ltd. .. Applicant.

Versus

Union of India & Others .. Respondents.

Mr.Arun Bakare for the Applicant.

Mr.K.R. Chaudhary for the respondents.

CORAM : H.L. GOKHALE, &
J.P. DEVADHAR, JJ.

DATED : 7TH DECEMBER, 2006.

P.C. :

1. Heard Mr.Bakare in support of this notice of motion. Mr.Chaudhari appears for the respondents.

2. This motion seeks withdrawal of the amount deposited with the Prothonotary & Senior Master on petitioners giving bank guarantee of an amount of Rs.25,00,000/-. In the meanwhile, reply is now filed to the motion pointing out that subsequent to the order passed by us on 15th November, 2006, order in original has been passed on 28th November, 2006. The order imposes liability exceeding Rs.25,00,000/-. This being the position, Mr.Bakare does not press this motion any more. The same is dismissed as not pressed.

3. It is open to the Applicant to take further appropriate remedy against the order in original.

4. The notice of motion stands disposed of

(H.L. GOKHALE, J.)

(J.P. DEVADHAR, J.)